

OPPORTUNITY TO CONFER

With respect to the actions required above, Respondent may within seven (7) calendar days after the effective date of this Order, request a conference with the U.S. EPA. Any such conference shall be held within seven (7) calendar days from the date of request unless extended by mutual agreement of the parties. At any conference held pursuant to the request, Respondent may appear in person, or be represented by an attorney or other representative. If any Respondent desires such a conference, the Respondent shall contact Nola Hicks, Assistant Regional Counsel, at (312) 886-7949.

If such a conference is held, Respondent may present any evidence, arguments or comments regarding this Order, its applicability, any factual determinations upon which the Order is based, the appropriateness of any action which Respondent is ordered to take, or any other relevant and material issue. Any such evidence, arguments or comments should be reduced to writing and submitted to U.S. EPA within seven (7) calendar days following the conference. If no conference is requested, any such evidence, arguments or comments must be submitted in writing within seven (7) calendar days following the effective date of this Order. Any such writing should be directed to Nola Hicks, Assistant Regional Counsel, at the address cited above.

Respondent is hereby placed on notice that U.S. EPA will take any action which may be necessary in the opinion of U.S. EPA for the protection of public health and welfare and the environment, and Respondent may be liable under Section 107(a) of CERCLA, 42 U.S.C. Section 9607(a), for the costs of those government actions.

PENALTIES FOR NONCOMPLIANCE

Respondent is advised pursuant to Section 106(b) of CERCLA, 42 U.S.C. Section 9606(b), that willful violation or subsequent failure or refusal to comply with this Order, or any portion thereof, may subject the Respondent to a civil penalty of no more than \$25,000 per day for each day in which such violation occurs, or such failure to comply continues. Failure to comply with this Order, or any portion thereof, without sufficient cause may also subject the Respondent to liability for punitive damages in an amount three times the amount of any cost incurred by the government as a result of the failure of Respondent to take proper action, pursuant to Section 107(c)(3) of CERCLA, 42 U.S.C. Section 9607(c)(3).

By: David A. Ullrich
David A. Ullrich, Director
Waste Management Division
United States Environmental
Protection Agency
Region V

August 16, 1991